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CITY OF SAN DIEGO  
M E M O R A N D U M

DATE: June 24, 2004

TO: Councilmember Zucchet  
Councilmember Frye  
Councilmember Atkins

FROM: Ernie Linares, Community Services Deputy Director

SUBJECT: 6 to 6 Employees

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In response to your memo to the City Manager dated April 15 expressing concerns that the City's 6 to 6 Provider agencies may be exerting inappropriate pressure on their employees not to support the proposed Livable Wage Ordinance, Community Services staff has raised the issue with each provider agency and consulted with the City Attorney's Office.

The existing 6 to 6 Program contracts include a clause that is titled "Lobbying and Political Activities." The intent of that clause is to prohibit the use of contracted staff from invoicing the City for activities such as lobbying to influence governmental decision making. It is not intended to govern employment related communications between management and employees. The City Attorney's Office confirms that the City does not have the authority to intervene in this situation. If the contractors were to have violated state employment laws, the enforcement would be outside of the City's control and likely fall under the State of California Department of Fair Employment and Housing.

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It should be noted that representatives of each provider agency do not believe they have used inappropriate or aggressive pressure to dissuade their staffs from supporting the ordinance. Further, they state that internal discussions of the Living Wage Ordinance subject have been kept to a senior management level.

Please free to call me at (619) 236- 6719 if you would like to discuss further.



Ernie Linares

cc P. Lamont Ewell, City Manager  
Debra Fischle-Faulk, Assistant Community and Economic Development Director  
June Dudas, 6 to 6 Program Administrator  
Lisa Foster, City Attorney's Office